

Request for Reconsideration  
U.S. Patent Application Serial No. 09/730,607  
Reply to OA of November 12, 2003

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**REMARKS**

Claims 1-26 stand rejected under 35 USC §102(e) as anticipated by Sezan et al. (previously applied).

This rejection has been maintained from the prior Office Action of June 5, 2003, and has been addressed claim-by-claim in detail in Applicants' response of September 5, 2003.

The Examiner nevertheless still urges, among other things, that Sezan et al. still teaches the hierarchical representation of audio features where the entire audio data corresponding to one audio program is set at the highest hierarchy and the audio features and described in order from higher to lower hierarchies.

Applicants respectfully disagree. None of the passages in Sezan et al. cited by the Examiner pertains to hierarchies. Webster's New World Dictionary, Third College Edition, defines "hierarchy" as "a group of persons or things arranged in order of rank, grade, class, etc." The Examiner has stated:

According to Sezan the description scheme 406 provides for several different presentations (hierarchies) of video content (or audio), such as for example, a thumbnail view description scheme 410, a key frame view description scheme 412, a highlight view description scheme 414, an event view description scheme 416, a close-up view description scheme 418, and an alternative view description scheme 420 Col. 26, lines 40-50.

Thus, the Examiner has erroneously equated the various types of presentations in Sezan et al. to the hierarchical (by rank) representations of audio features recited in claim 1. Sezan et al. fails

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to teach, mention or suggest hierarchically ranking the various types of presentations, as in the present invention.

In particular, the Examiner has stated that the program description scheme in Sezan et al. comprises arranging a program into sections and/or categories (hierarchies). Applicants disagree. The "sections" do not refer to divided parts of a program, but rather to divided parts of the "program description scheme." More specifically, the "sections" are not elements of the program, but rather elements of the "program description scheme." Sezan et al. discloses that "the first section identifies the described program. The second section defines a number of views which may be useful in browsing applications. The third section defines a number of profiles which may be useful in filtering and search application." It is apparent that these sections are not a relation of hierarchies, but have equal status, as shown in the chart below.

-----section 1 (id)  
program description scheme -----section 2 (views)  
-----section 3 (profiles)

As to the high level and low level features and/or descriptors in Sezan et al. (col. 13, lines 33-36), Sezan et al. teaches that the former is easily readable by humans while the latter is more easily read by machines and less understandable by humans (col. 13, lines 38-40). So the high level and low level features and/or descriptors in Sezan et al. do not refer to hierarchies.

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The Examiner has stated, referring to Fig. 4 of Sezan et al., that "selecting a particular category, such as news, provides a set of thumbnail views of different programs that are currently available for viewing. In addition, the different programs may also include programs that will be available at a different time for viewing. Sezan et al. teaches a set of thumbnail views for video, but not for audio. In contrast, the present invention is directed to audio. Because a set of thumbnails defined by an audio segment is not visible, a program selection interface, as shown in Fig. 4 of Sezan et al. could not be used for audio. Thus, the present invention differs from Sezan et al. A set of audio thumbnails in the present invention is used for searching audio to which a user desires to listen. In other words, the user can easily find a desired audio by playing back the set of audio thumbnails, which cannot be accomplished by Sezan et al., which is directed to video.

The Examiner has stated that several different presentations are hierarchies. Applicants respectfully disagree. Referring to Fig. 14, Sezan et al. discloses the several different presentations describe a number of views (col. 26, lines 39-51). These are no hierarchies among them, but instead only equal relations.

Thus, the 35 USC §102(e) rejection should be withdrawn, and a Notice of Allowance is earnestly solicited.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact Applicants undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

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In the event that this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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[ D R A F T ]

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